

*Pat. Amend.*  
17. (New) A magnetic disk apparatus as set forth in claim 16, wherein a third side is disposed on the opposite side faced to the first magnetic pole, wherein said magnetic disk apparatus is a longitudinal magnetic recording apparatus.

18. (New) A magnetic disk apparatus as set forth in claim 16, wherein a third side is disposed on the side faced to the first magnetic pole wherein said magnetic disk apparatus is a perpendicular magnetic recording apparatus.

#### REMARKS

Claims 1-4 and 8-18 are pending. By this Amendment, the specification and drawings are amended, claims 1, 2, 3, 4, 8-10, and 12-15 are amended, and new claims 16-18 are added.

The Office Action objects to the drawings under 37 CFR 1.83(a) because they fail to show upstream and downstream sides as described. Figures 7 and 8 have been amended to show upstream and downstream sides, as required by the Office Action.

The Office Action objects to the disclosure because of informalities. The specification and drawings have been amended to obviate these informalities.

The Office Action rejects claims 1-2, 4, 10 and 12-15 under 35 U.S.C. 112, second paragraph, it is submitted that the amendments to the claims obviate most of these rejections, except for item (d) regarding claim 2. This rejection indicates that a radial projection length changes as the head is rotated with respect to the disk and no orientation is recited between the pole and the disk at the time of measurement. However, claim 2 recites that the length of the recording magnetic pole onto the magnetic disk surface as measured along the radial direction of the magnetic disk is not more than the track pitch of the magnetic disk, which indicates that the measurement is made as the projection of the recording magnetic pole is aligned with the

magnetic disk surface. Accordingly, Applicants request withdrawal of the rejections of the claims under 35 U.S.C. 112.

Regarding item 7(a) of the Office Action, the Examiner refers to the first side as element 33. However, the first side is designated by element 32, whereas in the poles 31 and 333 designate the second side, the numeral 34 designates the third side and the numeral 35 designates the first side, as shown in the amended version of Figure 7 attached to the Request for Approval of Drawing Corrections.

The Office Action rejects claims 3-4 and 10 under 35 U.S.C. 102 over Shukh (U.S. Patent 6,504,675). This rejection is respectfully traversed.

Attached to this Amendment is a translation of the Priority Document, which perfects the priority date of March 14, 2000. The '675 patent was not filed until January 12, 2001. While the '675 patent claims priority to two provisional applications, the latter filed of these provisional applications, 60/206,872 was not filed until May 24, 2000, which is subsequent to Applicants' perfected priority date of March 14, 2000. Thus, the 60/206,872 provisional application cannot be the basis for priority dates allowing the '675 patent to be applied against the present application. Further, the earlier filed provisional patent application, 60/175,860 filed on January 12, 2000 only shows the shape or form of a perpendicular head designed for writing. It does not disclose or suggest a relationship between the recording magnetic pole and the track pitch of the magnetic disk, as recited in the claims of the present application. Accordingly, Applicants request withdrawal of the rejection of the claims under 35 U.S.C. 102.

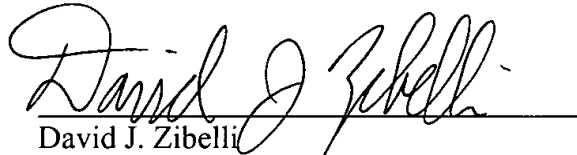
The Office is authorized to charge any fees due for this application under 37 C.F.R. § 1.16 or 1.17 to Deposit Account No. 11-0600.

**PATENT**  
**Serial No: 09/805,806**  
**Docket No: 29287-119**

Should there be any questions concerning this matter, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

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